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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,565	04/14/2004	Kohji Fujinaga	251892US2	4823
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
			EXAMINER WON, MICHAEL YOUNG	
			ART UNIT 2155	PAPER NUMBER
			NOTIFICATION DATE 10/10/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/823,565

Applicant(s)

FUJINAGA, KOHJI

Examiner

Michael Y. Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/25/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the application filed April 14, 2004.
2. Claims 1-17 have been examined and are pending with this action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 6-14, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Montulli (US 5,774,670).

INDEPENDENT:

As per **claim 1**, Montulli teaches an information processing apparatus (see col.2, line 25: "first computer (i.e., a server)") that communicates with a terminal (see col.2, line 27: "second computer (i.e., a client)") connected to a network (see Fig. 1A) by using an HTTP protocol and performs processes requested by the terminal (see col.2, lines 35-39: "hypertext transfer protocol"), the information processing apparatus comprising:

a cookie information setting part for setting a predetermined string, as cookie information, in an HTTP response corresponding to a first HTTP request sent from the terminal (see col.7, lines 12-17: "the state information is referred to as a "cookie""); and

a cookie information determining part for determining whether a second HTTP request includes the predetermined string as cookie information, wherein the second HTTP request is sent from the terminal after the first HTTP request is sent and indicates a start of a session between the terminal and the information processing apparatus (see col.8, lines 54-57: "cookie is considered valid").

As per **claim 7**, Montulli teaches information processing apparatus comprising:

a communication control part for controlling communications by using an HTTP protocol between the information processing apparatus and a terminal connected to a network (see col.2, lines 35-39: "hypertext transfer protocol");

a process execution part for executing a process corresponding to an HTTP request from the terminal received by the communication control part (see col.2, lines 41-47: "processor"); and

a cookie information determining part for determining whether an HTTP request includes a predetermined string as cookie information, wherein the HTTP request indicates a start of a session between the information processing apparatus and the terminal (see col.8, lines 54-57: "cookie is considered valid");

wherein the process execution part sets a predetermined string in an HTTP response as cookie information, wherein the HTTP response is sent to the terminal in

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response to an HTTP request sent from the terminal before the HTTP request that indicates the start of the session (see col.7, lines 12-17: "the state information is referred to as a "cookie"").

As per **claim 9**, Montulli teaches information processing apparatus comprising:

a communication control part for controlling communications by using an HTTP protocol between the information processing apparatus and a terminal connected to a network (see col.2, lines 35-39: "hypertext transfer protocol");

a process execution part for executing a process corresponding to an HTTP request from the terminal received by the communication control part (see col.2, lines 41-47: "processor"); and

a cookie information determining part for determining whether an HTTP request includes a predetermined string as cookie information, wherein the HTTP request indicates a start of a session between the information processing apparatus and the terminal (see col.8, lines 54-57: "cookie is considered valid");

wherein the communication control part sets a predetermined string in an HTTP response as cookie information, wherein the HTTP response is sent to the terminal in response to an HTTP request sent from the terminal before the HTTP request that indicates the start of the session (see col.7, lines 12-17: "the state information is referred to as a "cookie"").

As per **claim 12**, Montulli teaches a session management method used in an information processing apparatus (see col.2, line 25: "first computer (i.e., a server)") that communicates with a terminal (see col.2, line 27: "second computer (i.e., a client)") connected to a network (see Fig. 1A) by using an HTTP protocol and performs processes requested by the terminal (see col.2, lines 35-39: "hypertext transfer protocol"), the session management method comprising:

a cookie information setting step of setting a predetermined string, as cookie information, in an HTTP response corresponding to a first HTTP request sent from the terminal (see col.7, lines 12-17: "the state information is referred to as a "cookie""); and

a cookie information determining step of determining whether a second HTTP request includes the predetermined string as cookie information, wherein the second HTTP request is sent from the terminal after the first HTTP request is sent and indicates a start of a session between the terminal and the information processing apparatus (see col.8, lines 54-57: "cookie is considered valid").

DEPENDENT:

As per **claims 2, 8, 11, and 13**, which respectively depend on claims 1, 7, 10, and 12, Montulli further teaches wherein when the cookie information determining part determines that the second HTTP request does not include the predetermined string (see col.8, lines 18-19: "client system will no longer respond to Web servers with the cookie"), the information processing apparatus does not keep a memory area for storing information on any session between the terminal and the information processing

apparatus (**Note:** Montulli teaches all negative limitations so long as Montulli does not specifically and explicitly teach otherwise).

As per **claims 3 and 14**, which respectively depend on claims 1 and 12, Montulli further teaches wherein when the cookie information determining part determines that the second HTTP request does not include the predetermined string (see col.8, lines 18-19: "client system will no longer respond to Web servers with the cookie"), the information processing apparatus does not include session identification information in an HTTP response that is a response for the second HTTP request, wherein the session identification information is information for identifying a session between the terminal and the information processing apparatus (**Note:** Montulli teaches all negative limitations so long as Montulli does not specifically and explicitly teach otherwise).

As per **claims 6 and 17**, which respectively depend on claims 1 and 12, Montulli further teaches wherein the information processing apparatus is an image forming apparatus (see col.12, lines 22-25).

As per **claim 10**, which depends on claim 9, Montulli further teaches wherein the information processing apparatus includes a plurality of process execution parts, and the communication control part sets the predetermined string in an HTTP response by any of the plurality of process execution parts as cookie information (see col.7, lines 12-17).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montulli (US 5,774,670) in view of Atamaniouk (US 7,164,685).

As per claims 4 and 15, which respectively depend on claims 1 and 12, Montulli further teaches wherein when the cookie information determining part determines that the second HTTP request does not include the predetermined string (see col.2, lines 20-21 & 32), the information processing apparatus sends, to the terminal, a Web page as a response to the second HTTP request (see col.12, lines 43-47).

Montulli does not explicitly teach that the response includes requesting to enable a cookie function in the terminal.

Atamaniouk teaches a response including requesting to enable a cookie function in the terminal (see col.5, lines 10-13: "generated warning page with one or more cookie accept options").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Montulli in view of Atamaniouk so that the response includes requesting to enable a cookie function in the terminal. One would be motivated to do so because Montulli teaches of exchanging states between a client and

a server via cookies. Therefore, if cookies acceptance were not enabled on the client, the invention of Montulli would not properly function.

5. Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montulli (US 5,774,670) in view of Kocherlakota (US 6,785,705).

As per claims 5 and 16, which respectively depend on claims 1 and 12, Montulli further teaches wherein when the cookie information determining part determines that the second HTTP request includes the predetermined string, the information processing apparatus sends, to the terminal, an HTTP response as a response to the second HTTP request (see col.12, lines 43-47).

Montulli does not explicitly teach that the response includes session identification information identifying a session between the terminal and the information processing apparatus.

Kocherlakota teaches a response including session identification information identifying a session between the terminal and the information processing apparatus (see col.3, lines 16-18: "session information may be in the nature of a cookie").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Montulli in view of Kocherlakota so that the response includes session identification information identifying a session between the terminal and the information processing apparatus. One would be motivated to do so because Montulli teaches of allowing clients the ability to retain session information for future connections (see col.2, lines 6-11).

Conclusion

6. For the reasons above, claims 1-17 have been rejected and remain pending.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

September 25, 2007